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Par Pharmaceutical Companies, Inc. and Par Pharmaceutical, Inc.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**SANOFI-AVENTIS U.S. LLC,
SANOFI-AVENTIS,
DEBIOPHARM, S.A.,**

Plaintiffs,

v.

**MUSTAFA NEVZAT ILAC SANAYII A.S.
(a.k.a. MN PHARMACEUTICALS), PAR
PHARMACEUTICAL COMPANIES, INC.,
PAR PHARMACEUTICAL, INC.,**

Defendants.

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) Civil Action Nos.
) 3:07-cv-03143 (JAP)(JJH)
) 3:08-cv-263 (JAP)(JJH)
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) **MOTION DATE: January 19, 2008**
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) **Document Electronically Filed**
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**ORDER GRANTING SUMMARY JUDGMENT ON
U.S. PATENT NO. 5,716,988 PATENT IN FAVOR OF DEFENDANTS MUSTAFA
NEVZAT ILAC SANAYII A.S. (A.K.A. MN PHARMACEUTICALS), PAR
PHARMACEUTICAL COMPANIES, INC. AND PAR PHARMACEUTICAL, INC.**

THIS MATTER having been opened to the Court by Defendants Mustafa Nevzat Ilac Sanayii A.S. (a.k.a. MN Pharmaceuticals), Par Pharmaceutical Companies, Inc. and Par Pharmaceutical, Inc. (collectively “MN and Par”) seeking entry of an Order granting summary judgment based on the invalidity of claims 1, 3-6, and 8 of the U.S. Patent No. 5,716,988 (“the ‘988 patent”) under 35 U.S.C. § 102; and Defendants MN and Par having incorporated, joined in, and relied upon the Motion of Defendant Sandoz, Inc. (“Sandoz”), seeking summary judgment for invalidity of claims 1, 3-6, and 8 of the ‘988 patent, including incorporating, joining in, and relying upon the factual and legal submissions of Defendant Sandoz in support of its Motion; and Defendants MN and Par relying upon their Statement in Lieu of Brief pursuant to L. Civ. R. 7.1(d)(4); the Court having considered the foregoing papers; the papers submitted by Plaintiffs herein in opposition to said Motion; and having considered reply papers in support of said Motion; and the Court further having considered oral argument, if any; all pleadings of record; and for other and good cause having been shown,

IT IS on this ____ day of _____ 2008;

ORDERED:

That the Motion by Defendants MN and Par for Summary Judgment of Invalidity of Claims 1, 3-6, and 8 of the ‘988 patent is hereby granted.

HONORABLE JOEL A. PISANO
UNITED STATES DISTRICT JUDGE